

A Resolution

NO. 3544-10-2007

STATEMENT EXPRESSING OFFICIAL INTENT

TO REIMBURSE COSTS OF THE SURGICAL CLINIC ADDITION TO THE ANIMAL CARE AND CONTROL CENTER

WHEREAS, the City of Fort Worth, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay expenditures in connection with the design, planning, acquisition and construction for the project described on Exhibit "A" hereto (collectively, the "Project") prior to the issuance of obligations by the City in connection with the financing of the Project from available funds;

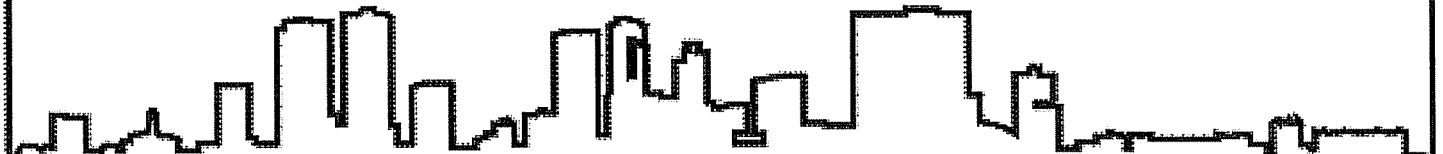
WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriated and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOR WORTH, TEXAS:

Section 1. The City reasonably expects it will incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$498,000 for the purpose of paying the aggregate costs for the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance for this Statement after the date which is later than 18 months after the later of (1) the date the expenditures are paid of (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to the Statement more than three years after the date any expenditure which is to be reimbursed is paid.



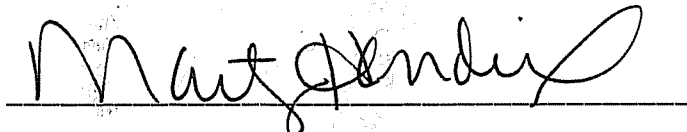
CITY OF FORT WORTH

RESOLUTION NO. 3544-10-2007

Adopted this 16th day of October 2007.

ATTEST:

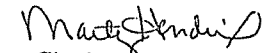
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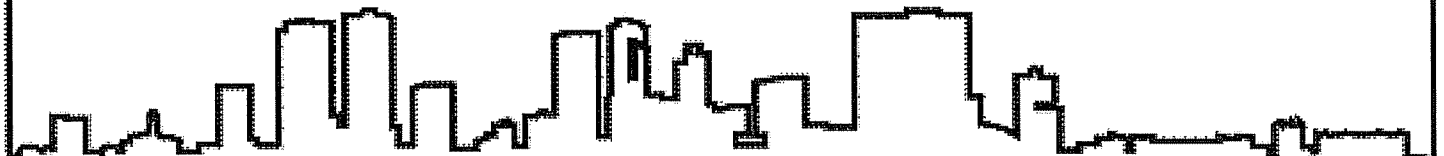


Marty Hendrix, City Secretary

**APPROVED
CITY COUNCIL**

OCT 16 2007

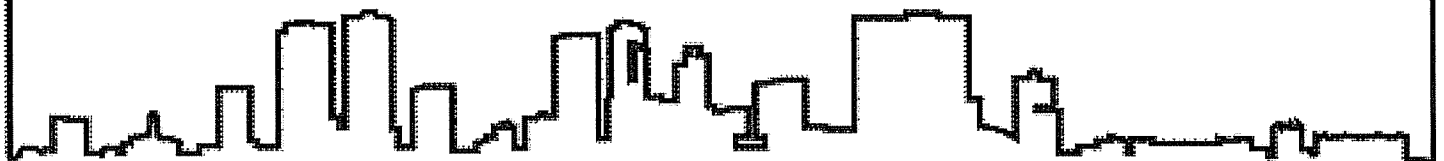

City Secretary of the
City of Fort Worth, Texas



CITY OF FORT WORTH

Exhibit "A"

The construction of the Surgical Clinic addition to the Animal Care and Control Center.



CITY OF FORT WORTH

City of Fort Worth, Texas

Mayor and Council Communication

COUNCIL ACTION: Approved on 10/16/2007 - Res. No.# 3544-10-2007, Ord. No.# 17841-10-2007 & 17842-10-2007

DATE: Tuesday, October 16, 2007
LOG NAME: 20SPAY&NPRIME

REFERENCE NO.: C-22454

SUBJECT:

Authorize Execution of a Construction Contract with Prime Construction Company for the Spay and Neuter Surgical Clinic Addition to the Animal Care and Control Center; Adopt Reimbursement Resolution and Adopt Appropriation Ordinances

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Specially Funded Capital Projects Fund by \$498,000 from available funds;
2. Authorize the transfer of \$498,000 from the Specially Funded Capital Projects Fund to the Animal Shelter Fund;
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Animal Shelter Fund by \$498,000 from available funds;
4. Adopt the attached Reimbursement Resolution noting that the City expects to issue Certificates of Obligation for the purpose of paying the increase in costs of this project; and
5. Authorize the City Manager to execute a construction contract with Prime Construction Company, in the amount not-to-exceed \$887,000, for the Spay and Neuter Surgical Clinic addition to the Animal Care and Control Center located at 4900 Martin Street.

DISCUSSION:

On August 16, 2005, M&C C-20904 authorized the execution of a professional services agreement with JRH Architects, Inc., in the amount of \$58,800 for the design and construction administration services for the Spay and Neuter Surgical Clinic addition to the City's existing Animal Care and Control Center.

On January 18, 2007, M&C C-15582 authorized the rejection of all bids received for the Spay and Neuter Surgical Clinic addition to the City's existing Animal Care and Control Center and authorized the project be redesigned and re-advertised for bid.

The project was re-advertised on July 19 and 26, 2007 in the *Fort Worth Star-Telegram*. On August 23, 2007, Prime Construction Company was the only bidder and was one of the three bidders in the first advertisement. Prime Construction Company constructed Fire Station No. 38 which opened in February 2007 and is the contractor for Fire Station No. 41, which is under construction.

The bid is as follows:

Base Bid and Alternate Nos. 2 through 4		\$887,000.00
Alternate No. 1	Outdoor Fencing	\$13,000.00 Funded by Public Art; not included in contract
Alternate No. 2	Consultation Room	\$96,000.00
Alternate No. 3	Field Offices	\$112,000.00
Alternate No. 4	Wainscot	\$19,000.00

Alternate No. 1 was not part of the original scope and will be funded by Public Art. This will be constructed by the artist and is not included as part of this construction budget.

Alternate No. 2 was part of the original scope of the facility. This was re-advertised as an additive alternate.

Alternate No. 3 was not part of the original scope but was added due to the impending expiration of the temporary extension of the Certificate of Occupancy for the temporary facility for the field offices (484 SF).

Alternate No. 4 was part of the original scope of the facility. This was re-advertised as an additive alternate.

The estimated overall cost of this project without the art component is:

Design	\$73,500.00
Construction	\$887,000.00
FF&E	\$65,000.00
Contingency, Geotech, ITS, Staff	<u>\$122,500.00</u>
Total	\$1,148,000.00

This project is part of the 2004 Capital Improvement Program with an approved budget of \$650,000 for the project and \$15,000 for the public art for this project. An additional \$498,000 will be required to award the construction contract. The overall project cost amount has additional contingencies and ITS costs.

During December 2006, staff identified \$150 M in Critical Capital Needs, and Council authorized the sale of Certificates of Obligation in each of the next four years to meet those needs. This summer, \$43.5 M was sold for projects identified in the first year of the Critical Capital Program. Also during December, staff advised Council that due to inflation, some cost overruns were anticipated from projects funded in the 2004 Bond Program, and that \$10 M in unspecified debt capacity was reserved for this purpose. Further, staff advised that these projects would be presented for Council consideration on an as-needed basis for inclusion in future Certificate of Obligation sales of the Critical Capital needs. In the interim, to avoid further construction delays, staff recommends these costs be funded by a loan from the Specially Funded Capital Projects Fund on a temporary basis. Subsequently, in order to allow reimbursement of this fund, staff recommends inclusion of this amount in the next CO sale anticipated sometime in Spring 08, and the use of those proceeds to reimburse this fund. A reimbursement resolution is attached for this purpose.

Prime Construction Company is in compliance with the City's M/WBE Ordinance by committing to 25 percent M/WBE participation. The City's goal for this project is 25 percent M/WBE participation.

The project is physically located in COUNCIL DISTRICT 5 but will serve Fort Worth residents in ALL COUNCIL DISTRICTS.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that funds, upon approval of the above recommendations and adoption of the appropriation ordinances, funds will be available in the current capital budget, as appropriated, of the Animal Shelter Fund.

TO Fund/Account/Centers

1) C291 538070 174770080640	\$498,000.00
3) C225 472001 201970014680	\$498,000.00
3) C225 541200 201970014680	\$498,000.00
1) C291 446100 174770080640	\$498,000.00

FROM Fund/Account/Centers

2) C291 538070 174770080640	\$498,000.00
5) C225 541200 201970014680	\$887,000.00

Submitted for City Manager's Office by:

Marc A. Ott (8476)

Originating Department Head:

Robert Goode (7804)

Additional Information Contact:

Dalton Murayama (8088)
